DETAILED ACTION

1. This office action is responsive to communication filed on 09/22/2010.

2. The petition to revive the case has been recorded and amendment filed on 09/22/2010 has been entered.

Response to Amendment

3. Claims 1-26 and 28-31 are pending and have been examined. Claim 27 has been cancelled. Claims 1, 4, 14, 26 and 30-31 have been amended. No new claim has been added.

Response to Arguments

4. Applicant's arguments filed on 09/22/2010 have been fully considered but they are not persuasive.

5. At the outset, Applicants are reminded that claims subject to examination will be given their broadest reasonable interpretation consistent with the specification. In re Morris, 127 F.3d 1048, 1054-55 (Fed. Cir. 1997). In fact, the "examiner has the duty of police claim language by giving it the broadest reasonable interpretation." Springs Window Fashions LP v. Novo Industries, L.P., 65 USPQ2d 1862, 1830, (Fed. Cir. 2003). Applicants are also reminded that claimed subject matter not the specification, is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding the prior art. In re Sporck, 55 CCPA 743, 386 F.2d, 155 USPQ 687 (1986).

With this in mind, the discussion will focus on how the terms and relationships thereof in the claims are met by the references. Response to any limitations that are not

in the claims or any arguments that are irrelevant and/or do not relate to any specific claim language will not be warranted.

6. On page 16 of Applicant's remark, Applicant argues that Henry '696 fails to teach or suggest "determining a distinct IEEE 1394 address for each device from the second network. This feature is not explicitly discussed in Henry '696, and in fact the absence of this step can be understood plainly from paragraph [0068]."

In response to Applicant's argument, the examiner respectfully disagrees. Henry on page 3 paragraphs 53-56 and 66-67 disclose that when a new UPnP device is connected to the system, an IP address is automatically assigned by DHCP.

7. Furthermore, on the same page of the remark, Applicant argues that "Applicant submits that in a 1394 system, a bus reset usually occurs upon change of a node. During the bus reset new 1394 addresses are created according to a defined system. Therefore, in the case described at paragraph [0068] of Henry '696, the absence of a bus reset in the system described in Henry '696 means that a person skilled in the art would understand that a 1394 address is not assigned to the new UPnP device, contrary to the recitations of claim 1."

In response to Applicant's argument, the examiner acknowledges that "a distinct IEEE 1394 address" applicant refers to in the specification is a "data bus ID", however, such limitation is not explicitly recited in the present claims. Since the claims are read in light of the specification, and it is interpreted as broadly as reasonable, the examiner

reasonably equates the "distinct IEEE 1394 address" as the IP address assigned by DHCP (Henry: page 3, paragraphs 53-56 and 66-67).

Specification

8. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.

9. In specific, claims 30-31 recite "computer-readable medium", wherein such medium are not explicitly and deliberately illustrated in the specification.

Claim Rejections - 35 USC § 101

10. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11. **Claims 30-31** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 30-31 recite *computer readable medium* which appear to cover both transitory and non-transitory embodiments. The United States Patent and Trademark Office (USPTO) is required to give claims their broadest reasonable interpretation consistent with the specification during proceedings before the USPTO. *See In re Zletz*, 893 F.2d 319 (Fed. Cir. 1989) (during patent examination the pending claims must be

interpreted as broadly as their terms reasonably allow). The broadest reasonable interpretation of a claim drawn to a *computer readable medium* (also called machine readable medium and other such variations) typically covers forms of non-transitory tangible media **and** transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable media, particularly when the specification is silent. *See* MPEP 2111.01. When the broadest reasonable interpretation of a claim covers a signal *per se*, the claim **must** be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter. *See In re Nuijten*, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter) and *Interim Examination Instructions for Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101*, Aug. 24, 2009; p. 2.

The Examiner suggests that the Applicant add the limitation "non-transitory" to the *computer readable medium* as recited in the claim(s) in order to properly render the claim(s) in statutory form in view of their broadest reasonable interpretation in light of the originally filed specification. The Examiner also suggests that the specification may be amended to include the term "*non-transitory computer readable medium*" to overcome the objection to the specification for a lack of antecedent basis of the claimed terminology.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims **1-26, and 28-31** are rejected under 35 U.S.C 102 (e) as being anticipated by **Henry et al. (publication no.: US 2005/0018696 A1)**

With respect to **claim 1,** Henry teaches a method of interconnection, through a gateway, between a first network of type IEEE 1394 enabling communications between a plurality of HAVi compliant devices and a second network enabling communications between a plurality of devices (Henry, fig 1) comprising the steps of:

for each device from the second network,

a) determining a global unique identifier (Henry: page 2, paragraph 44, and page 3, paragraph 68, noted the GUID identifiers);

b) determining a distinct IEEE 1394 address (Henry: page 4, paragraph 69, noted the newly added UPnP is determined as a "1394 device" which inherently has a IEEE 1394 address);

c) representing the device from the second network by a HAVi compliant software element associated with the determined global unique identifier and the determined IEEE 1394 address, which software element is hosted by the gateway (Henry: page 4, paragraph 70, noted the DCM and FCM elements for the newly added UPnP device); and

d) said method also comprising managing communication between a device from the first network and a device from the second network, using the device from the

second network's corresponding software element (Henry: Fig. 1, page 2, paragraph 46, and page 4, paragraphs 70-71, noted the bridge manages the communication).

With respect to **claim 2,** Henry teaches the method according to claim 1, wherein the second network enables communications between a plurality of UPnP compliant devices (Henry: fig. 1, page 2, paragraph 46).

With respect to **claim 3,** Henry teaches the method according to claim 2, wherein the step of determining a global unique identifier comprises the step of generating a global unique identifier (Henry: pages 2-3, paragraph 51 noted the GUID identifier).

With respect to **claim 4,** Henry teaches the method according to claim 2, wherein the step of determining a IEEE 1394 address comprises a further step of generating a virtual IEEE 1394 address (Henry: page 4, paragraph 69).

With respect to **claim 5**, Henry teaches the method according to claim 4, wherein the step of generating a virtual IEEE 1394 address comprises a step of generating a bus identifier, representing the second network, according to the standard IEEE 1394.1 (Henry: page 4, paragraph 69).

With respect to **claim 6,** Henry teaches the method according to claim 2, wherein the management of communication between devices from the first network and devices from the second network is performed by forming a bridge between a first bridge portal connected to the first network and an emulated second bridge portal and managing communication between the emulated second bridge portal and the devices from the second network (Henry: fig. 1, page 2, paragraph 46).

With respect to **claim 7**, Henry teaches the method according to claim 1, wherein the second network enables communications between a plurality of HAVi compliant devices (Henry: fig. 1, page 2, paragraph 46).

With respect to **claim 8,** Henry teaches the method according to claim 7, wherein the step of determining a global unique identifier comprises the step of retrieving the global unique identifier of the corresponding HAVI device from the second network (Henry: pages 2-3, paragraph 51 noted the GUID identifier).

With respect to **claim 9,** Henry teaches the method according to claim 7, wherein the step of determining a IEEE1394 address comprises the step of retrieving the IEEE1394 address of the corresponding HAVi device from the second network (Henry: page 4, paragraph 69).

With respect to **claim 10,** Henry teaches the method according to claim 7, wherein the management of communication between devices from the first network and devices from the second network comprises forming a bridge compliant with the IEEE1394.1 standard between a first bridge portal connected to the first network and a second bridge portal connected to the second network (Henry: page 4, paragraph 69).

With respect to **claim 11,** Henry teaches the method according to claim 1, wherein the step of managing communication between a first device from the first network and a second device from the second network includes retrieving, by the first device, the IEEE 1394 address associated to the second device using a discovery and enumeration protocol (Henry: page 3, paragraph 67, SSDP protocol).

With respect to **claim 12,** Henry teaches the method according to claim 1, which further managing virtual registers compliant with IEC61883 specification associated with each device from the second network (Henry: page 3, paragraph 65).

With respect to **claims 13-26 and 28-31,** the limitations of these claims are substantially the same as those in claims 1-12. Therefore the same rationale for rejecting claims 1-12 is used to reject claims 13-26 and 28-31. By this rationale **claims 13-26 and 28-31** are rejected.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LIN LIU whose telephone number is (571)270-1447. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Caldwell, Andrew can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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